

Approved by: Erica
 ERICA SOLOSKY
 Special Assistant United States Attorney

Before: THE HONORABLE MARTIN R. GOLDBERG
 United States Magistrate Judge
 Southern District of New York

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UNITED STATES OF AMERICA	:	MISDEMEANOR
	:	<u>COMPLAINT</u>
	:	
-v-	:	Violation of
	:	NYVTL 1212
	:	
JOHN M. SANCHEZ	:	
	:	
Defendant	:	
	:	
	:	
	:	COUNTY OF OFFENSE:
	:	ORANGE
	:	
- - - - -	-x	

UNITED STATES DISTRICT COURT FOR THE
 SOUTHERN DISTRICT OF NEW YORK, ss.:

JASON GONZALEZ, being duly sworn, deposes and says
 that he is a Court Liaison, assigned to the United States
 Military Academy, West Point, New York, and charges as
 follows:

COUNT ONE

On or about May 20, 2019, on the West Point Military
 Reservation, within the special maritime and territorial
 jurisdiction of the United States, in the Southern District
 of New York, JOHN M. SANCHEZ, the defendant, unlawfully,
 knowingly, and willfully did operate a motor vehicle in a
 manner which unreasonably interfered with the free and
 proper use of the road and unreasonably endangered other
 users of the road, to wit, the defendant attempted to pass
 a bus by crossing the double yellow lines into oncoming
 traffic almost colliding with another vehicle.

(New York State Vehicle & Traffic Law, Section 1212)

The basis for the deponent's knowledge and for the foregoing charges are, in part, as follows:

1. I am a Court Liaison, assigned to the Provost Marshal Office, at the United States Military Academy, West Point, New York, which is located in the Southern District of New York.

2. Upon information and belief, on or about May 20, 2019, at approximately 4:30 p.m., MP Officer, SPC Mowrer, was on his way to flag call when he observed traffic backed up on Cullum Road adjacent to Jefferson Library. SPC Mowrer noticed a group of four buses unloading and loading people in and out of the West Point Club. SPC Mowrer pulled into the Double Day Parking lot and radioed the MP desk to inquire as to what was going on and he was advised that they were not aware of anything and that he should tell the drivers to move further up the road as they were impeding the flow of traffic.

3. As SPC Mowrer was exiting the Double Day Parking Lot, three buses passed him with a fourth going very slow but picking up speed. At this time, SPC Mowrer observed a white Subaru Outback begin to attempt to pass the fourth bus by crossing the double yellow line into oncoming traffic. The Subaru almost collided head-on with a red in color vehicle that had slammed on its breaks to avoid the accident, which then caused SPC Mowrer to hit his brakes so that he wouldn't hit the red vehicle.

4. The driver of the Subaru, later identified as the defendant, then crossed the double line again, cutting the bus which then caused the bus to engage its brakes as well to avoid hitting the back end of defendant's vehicle. SPC Mowrer then activated his emergency lights and the defendant stopped next to SPC Mowrer vehicles with his windows down and SPC Mowrer advised him to pull over. The defendant raised his tone asking, "Why the hell are you pulling me over?" SPC Mowrer responded to him, "Sir, can you just pull up ahead for me please." The defendant drove off upset saying, "Are you serious?"

5. SPC Mowrer then began repositioning his vehicle and the defendant exited his vehicle slamming his door and turning and looking towards SPC Mowrer direction. SPC Mowrer then advised the defendant, over his PA system, to get back in the car. SPC Mowrer had to make the request a second time as the defendant did not comply with the first request. At this time, the bus that the defendant had cut off was driving by and SPC Mowrer observed the defendant scolding


the bus. The defendant then got back into his car slamming his door.

6. SPC Mowrer than contacted another patrol for assistance. Once the other officer arrived, SGT Day, they made their approach to the car and asked the defendant if he knew why he had been stopped and the defendant stated he did not as he did nothing wrong. SPC Mowrer then tried to explain to the defendant why he was stopped for his reckless driving and almost causing an accident and the defendant was speaking over SPC Mowrer and telling him he did not SPC Mowrer to speak and wanted to talk to SGT Day. SGT Day advised the defendant that due to SPC Mowrer being the initial patrol on the traffic stop that he was in charge of the situation. SPC Mowrer requested the defendant's license, proof of insurance and registration. The defendant ignored the request and continued to speak to SGT Day saying that he was wrongfully pulled over and was accusing him for the violations that were observed. SGT Day stopped the defendant from speaking and requested that he hand the requested documents to SPC Mowrer.

7. SGT Day went to check the information with the desk sergeant, SPC Mowrer again attempted to explain to the defendant why he was stopped but the defendant continued to argue. SPC Mowrer then approached SGT Day to retrieve the documents to begin completing the citation for reckless driving. SGT Day noticed a passenger in the back of the defendant car who appeared to be recording the traffic stop. SPC Mowrer then approached the defendant a second time and informed him he was receiving a citation for reckless driving. At that time the defendant stated to SPC Mowrer and SGT Day that SPC Mowrer needed to learn how to be a better at my job and doing the right thing. SPC Mowrer handed the DCVN to the defendant and he crumpled up his copy and threw it on the floor of his front passenger seat. The defendant then left the area in a hasty manner.

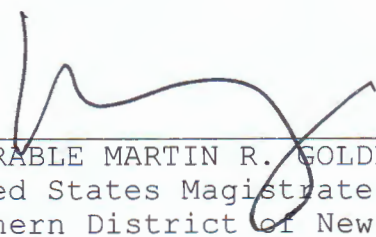
8. The defendant was issued a United States District Court Violation for Reckless Driving (DCVN 8004277/SY10).

WHEREFORE, deponent prays that the above-named defendant be imprisoned or bailed, as the case may be.



JASON GONZALEZ
Court Liaison

Sworn to before me this
27th day of June, 2019



HONORABLE MARTIN R. GOLDBERG
United States Magistrate Judge
Southern District of New York